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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/640,092 | 08/17/2000 | Klaus Klemm | 732/00018 | 4782 |

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EXAMINER

BAHTA, ABRAHAM

| | |
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| ART UNIT | PAPER NUMBER |
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1744

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/640,092

Applicant(s)

KLEMM ET AL.

Examiner

Abraham Bahta

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-13 and 15-21 is/are pending in the application.
- 4a) Of the above claim(s) 12-13 and 15-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 6-11 and 21 is/are rejected.
- 7) ☒ Claim(s) 2-4, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Election/Restriction

Claims 1-4, 6-13 and 15-21 are pending in this applications. Non-elected claim 12 has been withdrawn from consideration. Rejoinder of the claim would be considered upon indication of allowable subject matter pursuant to MPEP 821.04.

Claims 13 and 15-18 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Original claims 13 and 15-17 were drawn to a method of utilizing a cover plate; however, in the amendment filed 06/22/04 claims 13 and 15-17 and new claim 18 are drawn to a method of connecting a cover plate.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 13 and 15-18 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Drawings

On page 11, lines 33-37 the specification describes that figure 1 shows a cover plate for a front-loader washing machine, composed of a decorative part [support (1) and decorative layer (2)] and that the decorative part is welded to a weld surface (4) by means of heating element to a reinforcer (3) to give a box-or crate-type component;

Art Unit: 1744

however, the drawing(s) do not appear to depict a cover plate as described in applicant specification. Further, the drawings do not appear to depict the limitations recited in the claims of the subject application. For example, in figure 1, the reinforcer is seen to be as one piece rounded rectangular with support columns or ribs distributed along the length of the reinforcer. There is no separation between the support (1) and the reinforcer (3). Therefore, the Examiner could not understand what numeral (3) and (1) depict. In addition figure 1 shows two weld corners (4); however, the drawing also shows two double lined segments extending from the weld corner. It is not clear what these two double line segments represent. It is requested that applicant supply a figures/drawings exemplifying the cover plate in combination with a household device such as a front-loading washing machine. It is also requested applicant supply drawings that show the different layers that make up the support/decorative layer such as the heat-cured layer and intermediate layer; reinforcing layers and the ribs as recited in claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 1744

Claims 1, 6-11 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Melill et al (USP 3533153) or Gault (USP 315641).

Melill et al teach a cover plate comprises ribbed sandwich-type structure. See col. 2, lines 12-16. The structure comprises a first sheet of material(4) and a second sheet of material (6). One of the sheets of materials comprises ribs wherein the ribs are bonded to the second sheet of material. See col. 3, lines 53 through col. 4, line 21.

Gault teaches a panel comprising upper and lower metal sheets of an appropriate thickness. Interposed between the upper and lower panel is honey-comb core formed of thins strips of metal which are welded together at contact points and are to be brazed or soldered to the upper and lower panels (10 and (11).

The references do not specifically mention molded-on functional elements; however, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the desired functional elements to the cover plate of Melill et al or the panel of Gault depending on the intended use of the final product.

Claims 6 and 21: As shown in figure 1 of Melill the sandwich structure is in the form of a box. As shown in figure 1 of Gault the panel is in the form of a box.

Claim 7: As shown in figure 1 of Melill the upper and lower sheets of the sandwich structure comprises ribs. See also col. 3, lines 58-59.

Claims 8-11: The references do not require the specific functional elements recited in claims 8-11; however, since the article of Melill or Gault is designed to be attached or mounted to an article of manufacture, it would have been obvious to one of

Art Unit: 1744

ordinary skill in the art at the time the invention was made to have included desired functional elements depending on the intended of the final product.


Allowable Subject Matter

Claims 2-4 and 19-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abraham Bahta whose telephone number is (571) 272-1532. The examiner can normally be reached on Monday - Friday; 11:30 am - 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Kim can be reached on (571) 272-1142. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


A. Bahta
10/31/05


DEBORAH JONES
SUPERVISORY PATENT EXAMINER